

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

**DECLARATION OF STEPHANIE ACKERMAN IN SUPPORT
OF THE TRUSTEE'S MOTION AND MEMORANDUM OF LAW TO
AFFIRM HIS DETERMINATIONS DENYING CLAIMS OF CLAIMANTS
HOLDING INTERESTS IN JEFFREY SCHAFFER DONNA SCHAFFER JOINT
TENANCY AND STANLEY I. LEHRER AND STUART M. STEIN JOINT TENANCY**

I, Stephanie Ackerman, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an associate with Baker & Hostetler LLP, counsel to Irving H. Picard, trustee ("Trustee") for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC ("BLMIS") under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. ("SIPA"), and for Bernard L. Madoff.

2. I am fully familiar with this case and the facts set forth herein.

3. For purposes of the Trustee's Motion and Memorandum to Affirm His Determinations Denying Claims of Claimants Holding Interests in Jeffrey Schaffer Donna Schaffer Joint Tenancy and Stanley I. Lehrer and Stuart M. Stein Joint Tenancy (the "Motion"),

the Trustee selected two BLMIS accounts: 1L0013 held by Stanley I. Lehrer and Stuart M. Stein J/T WROS (the “Lehrer Stein Joint Tenancy”), and 1ZA401 held by Jeffrey Schaffer Donna Schaffer JT WROS (the “Schaffer Joint Tenancy”) (collectively, the “Joint Tenancies”).

4. A list of objecting claimants associated with one or more of the Joint Tenancies whose claims are addressed in the Motion is annexed as Exhibit 2 (the “Objecting Claimants”) to the Declaration of Vineet Sehgal filed in support of the Motion (the “Sehgal Declaration”). The Motion addresses all outstanding docketed objections that have been filed to date by Objecting Claimants associated with one or more of the Joint Tenancies, details of which objections are contained in Exhibits 2 and 3 to the Sehgal Declaration.

5. I supervised service of discovery, including Requests for Admissions, by the Trustee on the Objecting Claimants listed in Exhibit 2 to the Sehgal Declaration. All of the Objecting Claimants failed to respond.

6. During the course of my work on this matter, and to properly prepare and serve discovery, I personally reviewed hundreds of documents, including the claims filed by the Objecting Claimants, the respective notices of determination of claims issued by the Trustee, and the respective objections to the Trustee’s notices of determination of claims filed by the Objecting Claimants, in addition to reviewing the Joint Tenancy account files as contained in the books and records of BLMIS.

7. The Objection to Determination filed on behalf of Objecting Claimants Jeffrey Schaffer and Deborah Schaffer individually (the “Schaffer Objecting Claimants”) was filed by Helen Chaitman of Becker & Poliakoff LLP on November 17, 2010. To clarify attorney representation issues, on September 19, 2013, we requested that Ms. Chaitman provide the Trustee with verification as to which Objecting Claimants Becker & Poliakoff LLP represents.

She did so on October 4, 2013 and December 2, 2013, and stated that she did not represent Jeffrey Schaffer and/or Donna Schaffer in connection with the Trustee's discovery requests. As such, I caused discovery requests to be served on Jeffrey and Donna Schaffer in a *pro se* capacity on September 19, 2014.

8. The Objection to Determination filed on behalf of the Elaine Stein Roberts IRA associated with the Lehrer Stein Joint Tenancy was filed by Carole Neville of SNR Denton US LLP. As such, I caused discovery requests to be served on Ms. Neville on September 5, 2014.

Service of Requests for Admissions and Other Discovery

9. I caused discovery to be served on all of the Objecting Claimants through counsel or in a *pro se* capacity using contact details from the claims, objections to the Trustee's notices of determination of claims, or the debtor's books and records, all as provided by the Trustee's claims agent, AlixPartners LLP. Each of the Trustee's discovery requests contained a certificate of service setting out how and when service was made.

10. Attached hereto as Exhibit 1 is a true and correct copy of the complete discovery served on Jeffrey and Donna Schaffer with cover letter and certificate of service.

11. Attached hereto as Exhibit 2 is a true and correct copy of the complete discovery served on Carole Neville of SNR Denton US LLP on behalf of the Elaine Stein Roberts IRA, with cover letter and certificate of service.

Objecting Claimants Who Failed To Respond To Requests For Admissions

12. All Objecting Claimants received eight (8) substantively identical Requests for Admissions in their discovery packages.

13. The Lehrer Stein Objecting Claimant received an additional four (4) Requests for Admissions in their discovery packages that were not included in the Schaffer Objecting Claimants' discovery package.

14. The Schaffer Objecting Claimants did not respond to the Trustee's discovery requests.

15. The Lehrer Stein Objecting Claimant did not respond to the Trustee's discovery requests.

16. Exhibits 1-2 each contain the cover letter, Requests for Admissions, Interrogatories, Requests for Production, and Certificate of Service as mailed to the Objecting Claimants.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 19, 2017
New York, New York

/s/ Stephanie Ackerman
Stephanie Ackerman
Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111